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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/033,622      | 12/27/2001  | Abbie Parker         | 10015505-1          | 9307             |

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HEWLETT-PACKARD COMPANY  
Intellectual Property Administration  
P.O. Box 272400  
Fort Collins, CO 80527-2400

EXAMINER

CHEN, ALAN S

ART UNIT PAPER NUMBER

2182

DATE MAILED: 11/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |                                      |                                      |  |
|------------------------------|--------------------------------------|--------------------------------------|--|
| <b>Office Action Summary</b> | <b>Application No.</b><br>10/033,622 | <b>Applicant(s)</b><br>PARKER, ABBIE |  |
|                              | <b>Examiner</b><br>Alan S Chen       | <b>Art Unit</b><br>2182              |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 09/02/2004 for a RCE.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 09/02/2004 has been entered.

### ***Drawings***

2. The drawings are objected to because Fig. 5, element 502 has a spelling error "priting". A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

4. Claims 1-27 are rejected under 35 U.S.C. 102(e) as being anticipated by No. 6,327,051 to Moro et al. (hereafter Moro).

5. As per claims 1, 9, 13, 18 and 23, Moro discloses a method and system for providing print outcome notification (Fig. 41, Fig. 42, element S284 and Fig. 48 and Fig. 49, element S354)

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comprising: determining which print driver settings are selected (Fig. 42, element S281 and S282; Fig. 48 and Fig. 49, element S351 and S352); determining whether one or more of the print driver settings is likely to adversely affect a printing result (Fig. 42, element S283 and Fig. 49, element S353); and providing notification to a user that a selected print driver setting may result in an adverse printing result (Fig. 41 and 48). Note that is the notification inherently indicates that the print speed or ink consumption will be adversely affect, e.g., in Fig. 48, the color cartridge is not installed and if switched to the monochrome cartridge, print speed and ink consumption will be different.

6. As per claim 2, Moro discloses claim 1, wherein the step of determining which print driver settings are selected comprises determining a print driver setting that has been selected by the user (Fig. 39 and 47, user can manually select from menu items).

7. As per claim 3, Moro discloses claim 1, wherein the step of determining which print driver settings are selected comprises determining a current default driver setting (Fig. 39 and 47, Default setting is what the menu is configured to before the user manually selects and the Default button can be pressed again by the user to change back to the default setting).

8. As per claims 4, 10 and 14, Moro discloses claims 1, 10 and 13, wherein the step of determining whether one or more of the print driver settings is likely to adversely affect a printing result comprises determining whether one or more of the print driver settings is likely to adversely affect at least one of the print quality, print speed and consumption of the printing device consumable (Fig. 41 and 48, quality, speed and ink consumption will be impacted by going from color printing to monochrome printing).

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9. As per claims 5, 11, 15, 19 and 24, Moro discloses claims 1, 9, 13, 18 and 23 wherein the step of providing notification comprises facilitating presentation of a warning dialogue box to the user (Fig. 41 and 48 are warning dialogue boxes).

10. As per claims 6-8, 12, 16, 20-22 and 25-27, Moro discloses claims 1, 9, 13, 18 and 23 wherein the step of providing notification comprises providing an indication of the degree of severity of the adverse result (Fig. 41 and 48 indicate to the user that a paper size is wrong, therefore the user knows per his/her print job if it will come out correctly or not depending on whether it fits or not; the user also knows per his/her print job whether monochrome or color will be an impact; based on the judgment of severity, the user chooses whether to continue or not). Note, by pressing OK in the dialog box of 48, it is automatically set to monochrome color where the user does not need to manually replace the color cartridge and automatically go to monochrome printing.

11. As per claim 13, Moro discloses claim 17, further comprising logic configured to cancel printing (Fig. 41, Stop button cancels printing).

### ***Conclusion***

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

13. The following patents are cited to further show the state of the art with respect to controlling print driver as to affect the outcome of printing:

U.S. Pat. No. US006680784B1 to Nomura et al.

U.S. Pat. No. US 20040205640A1 to Laughlin


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14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alan S Chen whose telephone number is 571-272-4143. The examiner can normally be reached on M-F 8:30am - 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey A Gaffin can be reached on (571) 272-4146. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ASC  
11/09/2004

  
JEFFREY GAFFIN  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100